

FILED BY EFSWEB

**IN THE UNITED STATES PATENT AND
TRADEMARK OFFICE**
-- PATENT APPLICATION --

Inventors	Hensley and Davidson	Docket No.:	33205.0217
Serial No.:	10/722,811	Group Art Unit:	1616
Filed:	November 25, 2003	Examiner	Pak, John D.
Title:	METHOD AND COMPOSITION FOR DELIVERING ZINC TO THE NASAL MEMBRANE	Confirmation No.	8179

**TERMINAL DISCLAIMER IN ACCORDANCE
WITH 37 C.F.R. § 1.321(b)**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Commissioner:

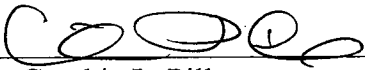
The owner, Zicam, LLC, of one hundred percent interest in the instant application hereby disclaims the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of reference patent nos. 7,115,275, 7,597,901 as the term of said reference patents is defined in 35 U.S.C. 154 and 173, and as the term of any of said reference patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the reference patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

33205.0217

In making the above disclaimers, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154-156 and 173 of the reference patents and/or patents issuing on the reference applications, as shortened by any terminal disclaimer, in the event that any such patent later: (i) expires for failure to pay maintenance fee, (ii) is held unenforceable, (iii) is found invalid by a court of competent jurisdiction, (iv) is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, (v) has all claims canceled by reexamination certificate, (vi) is reissued, or (vii) is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Applicants authorize and respectfully request that the requisite petition fee of \$70 be charged to Deposit Account No. 19-2814. Any additional fees due, or any overpayment should be credited/charged to this deposit account number.

Respectfully submitted,

By: 
Cynthia L. Pillote
Registration No. 42,999
Attorney of Record

Dated: OCTOBER 14, 2010

SNELL & WILMER L.L.P.
One Arizona Center
400 East Van Buren
Phoenix, Arizona 85004-2202
Telephone: (602) 382-6296
Facsimile: (602) 382-6070
cpillote@swlaw.com